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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,599	05/04/2005	Luis Carlos Serman-Dez Arppe	P/189-375	7504

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EXAMINER	
KARIKARI, KWASI	

ART UNIT	PAPER NUMBER
2686	

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/526,599	SERNAN-DEZ ARPPE ET AL.	
	Examiner	Art Unit	
	Kwasi Karikari	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 May 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 March 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *03/04/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 03/04/2003 is in compliance with the provision of 37 CFR 1.97, has been considered by the Examiner, and made of record in the application file.

Claim Objections

2. Claims 2-10 and 12-24 is objected to because of the following informalities: Applicant uses "A system" in claims 2-10 and "A method" in claims 12-24. Examiner suggests using "The system" and "The method" respectively. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 and 11 are rejected under U.S.C. 103(a) as being unpatentable over Gibson et al. (U.S. 6,775,249), (hereinafter Gibson) in view of Raviv et al., (U.S. 20020164983 A1), (hereinafter Raviv).

Regarding **claims 1 and 11,** Gibson discloses a dialing error notification system (fax and voice messaging facilities GIRAFF 220 and DISC 130 which operate to

inform customer of a dialing error has occurred, see col. 4, lines 6-45 and Fig. 1) for visiting subscribers in a visited mobile telephony network (users at a particular area make particular dialing errors, see col. 9,lines 1-12), a visiting subscriber being a subscriber from a home mobile telephony network different from the visited mobile telephony network (see col. 12, lines 35-50).

a first node (call monitoring 200 and GIRAFF 220, see col. 6, lines 14-63) of the visited mobile telephony network comprising means apparatus for analyzing a number dialed by a visiting subscriber and determining whether said dialed number complies with at least one predetermined error criterion (GIRAFF analyzes dialing error, see col. 6, lines 14-63); and

apparatus for sending a message (fax facility 330 or voice download 355, see Fig. 3) with a dialing error notification to the visiting subscriber if said dialed number complies with at least one predetermined error criterion (announcement informing customer that error has occurred, see col. 4, lines 33-45); and

apparatus for determining the identity of the home mobile telephony network based on the International Mobile Subscriber Identity of the visiting subscriber (calling line identity CLI, operates to identify the identity the number dialed by terminal 100, see col. 4, lines 45-58), but fails to teach short message.

Raviv teaches that the data services include short message service (see Par. [0290]).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Raviv into the system of Gibson for the benefit of

achieving a system that provides short message service in a visited mobile network.

4. **Claims 2-10 and 12-24, are rejected under U.S.C. 103(a) as being unpatentable over Gibson in view of Raviv and further in view of Lohtia et al., (U.S. 20030211845 A1).**

Regarding **claims 2 and 12**, according to claims 1 and 11, Gibson and Raviv fails to teach that the said first node is a Service Control Point of the visited mobile telephony network.

Lohtia teaches that a global SCP15 obtains a requested information and then send and SMS message to message center 16.

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Lohtia into the system of Gibson and Raviv for the benefit of achieving a system includes global SCP that functions as a router

Regarding **claims 3 and 16**, according to claims 1 and 11, as the combination of Gibson and Raviv is made of fails to teach that the system comprising: aparatus for sending a message (M1) to an SS7-IP gateway from the first node, said message (M1) being a message with instructions to send the short message; apparatus for sending an http message to a short message sending server from said SS7-IP gateway, said http message being a message with instructions to send the short message; Short Message Service Centre of the visited network

from said short message sending server upon receipt of said instructions by said short message sending server.

Lohtia futher teaches aparatus for sending a message (MCS 304, see Fig. 3) (M1) to an SS7-IP gateway (SS7 network 308, see Fig. 3) from the first node (306), said message (M1) being a message with instructions to send the short message (SMS retrieves and routes information via SS7, see Par. [0029]);

apparatus for sending an http message to a short message sending server () from said SS7-IP gateway, said http message being a message with instructions to send the short message (Gateway 302 and WEB server 314 is capable of communicating using available protocols that allows information to be exchanged among other devices, see Par. [0035] and Fig. 3);

apparatus for sending the short message addressed to the visiting subscriber to a Short Message Service Centre (SMSC 307, see Par. [0007] and Fig. 3) of the visited network from said short message sending server upon receipt of said instructions by said short message sending server (302 and 302).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Lohtia into the system of Gibson and Raviv for the benefit of achieving a system that includes Short Message Service Centre that functions as a router

Regarding **claims 4 and 17**, according to claims 1 and 11, as the combination of Gibson and Raviv is made of, fails to teach that the system is comprising apparatus for selecting text for the short message text.

Lohtia further teaches SMS or Microbrowser Information Server translate information and the information is later transmitted to the message center for routing to the user handset (see Par. [0031]).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Lohtia into the system of Gibson and Raviv for the benefit of achieving a system that includes SMS server to facilitate transmission of information to user device.

Regarding **claims 5 and 18**, according to claims 3 and 16, as the combination of Gibson and Raviv is made of, fails to teach that the system is comprising the short message sending server includes a database with short message texts and an indicator code included in the http message received from the SS7-IP gateway.

Lohtia teaches data base 309 in the SMSC 307 and an indicator including in a receiving message (see Par. [0034] and Fig. 3).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Lohtia into the system of Gibson and Raviv for the benefit of achieving a system that includes SMS server to facilitate transmission of information to user device.

Regarding **claims 6 and 19**, according to claims 3 and 16, as the combination of Gibson, Raviv and Lohtia is made of, Gibson further teaches the mobile

telephone number of the visiting subscriber to whom the short message must be sent (a call that the customer is attempting to established, see col. 4, lines 7-10).

Regarding **claims 7 and 20**, according to claims 1 and 11, as the combination of Gibson, Raviv and Lohtia is made of, Gibson further teaches apparatus for sending an initial control set-up message to a first node, comprising at least the following data: the telephone number dialed by the visiting subscriber (a call that the customer is attempting to established, see col. 4, lines 7-10).; the mobile telephone number of the visiting subscriber; and the International Mobile Subscriber Identity of the visiting subscriber.

Regarding **claims 8 and 21**, according to claims 1 and 11, as the combination of Gibson, Raviv and Lohtia is made of, Gibson further teaches the apparatus for sending an initial control set-up message to the first node are comprised in the Mobile Switching Centres (receiving dialed number at Switching Center, see step 400 and Fig. 4a), of the visited mobile telephony network, such that when a visiting subscriber in a cell corresponding to Mobile Switching Centre dials a telephone number, said Mobile Switching Centre sends the initial control set-up message to the first node.

Regarding **claims 9 and 22**, according to claims 1 and 11, as the combination of Gibson, Raviv and Lohtia is made of, Gibson further teaches a control apparatus for preventing a second short message (a fax has been sent within the previous

predetermined period, see col. 10, lines 16-25) with a dialing error notification from being sent to a visiting subscriber if the time elapsed since a first short message with a dialing error notification was sent to said visiting subscriber is less than a predetermined minimum time (see col. 9,line 64- col. 10, lines 35).

Regarding **claims 10 and 23**, according to claims 1 and 11, as the combination of Gibson, Raviv and Lohtia is made of, Gibson further teaches, wherein the error criteria include one or several criteria selected from the group consisting of the following criteria:

- the number dialed begins with "+" followed by a sign different from a figure C, I/C x9;
- the number dialed begins with "00" followed by a sign different from a figure C, 1 <C /9;
- the number dialed is a g-figure number beginning with a figure which is not 6, 7, 8 or 9,.
- the number dialed begins with "+" or "00.' followed by a country code followed by an

escape code not applicable for international dialing to said country; and

- the number dialed is a number with fewer than 9 figures which is not a short code (error may occur because some countries may have error in regional code or insufficient digitals in the number dialed, see col. 10, lines 59-62).

Regarding **claim 13**, according to claim 11, as the combination of Gibson, Raviv and Lohtia is made of, Gibson further teaches, wherein based on the identity home mobile telephony network of the visiting subscriber as determined by the International Mobile Subscriber Identity of the visiting subscriber, it is determined whether the visiting subscriber has the right to a dialing error notification service (an inherent feature of services provided in Fig. 1, because checking whether a subscriber is entitled to receive a service prior to offering the service is common procedure in telecommunication network).

Regarding **claim 14**, according to claim 13, as the combination of Gibson, Raviv and Lohtia is made of, Gibson further teaching of system of GIRAFF and DISC 130 (see col.7, lines 44-61), meets the limitations of claim 14

Regarding **claim 15**, according to claim 14, as the combination of Gibson, Raviv and Lohtia is made of, Gibson further teaching of system of GIRAFF and DISC 130 (see col.7, lines 44-61), meets the limitations of claim 15.

Regarding **claim 24**, according to claims 3 and 16, as the combination of Gibson and Raviv is made of, fails to teach that the method is only carried out for visiting subscribers who are not provided with CAMEL service O-CSI flag.

Lohtia teaches a GSM CAMEL messaging application (see Par. [0034]).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Lohtia into the system of Gibson and Raviv for the

benefit of achieving a system that includes SMS server to facilitate transmission of information to user device.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

O' Neil et al. (U.S. 5,963,864) teaches method and system for automatic connection telephone calls to multiple device having different directory numbers.

Harlow et al., (U.S. 5,206,901) teaches a method and apparatus for alerting multiple telephones for an incoming call.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwasi Karikari whose telephone number is 571-272-8566. The examiner can normally be reached on M-F (8 am - 4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571- 272 5905. The fax phone number for the organization where this application or proceeding is assigned is

703-872-9306.

Any Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197

(toll-free).

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